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- ii. rotating the fan on said axis away from the stowed position thereof to a second position relatively farther away from the CPU chip to thereby provide additional access to the CPU chip without the necessity of decoupling the fan from the source of electrical power.
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REMARKS

A marked version of the amended claims set forth above can be found in Appendix A to this response.

The examiner stated that Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Thus, the applicant has amended claim 13 to add the features of old claim 14. As a result, amended claim 13 should be allowable.

Claims 16-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended Claims 16-18 so as to overcome this rejection.

Claims 1-3, 6, 7, 12, 13 and 16-18 are rejected under 35

U.S.C. 102(e) as being anticipated by Matteson et al. (US 6,269,001 B1). Applicant respectfully traverses the rejections made by the Examiner for the reasons discussed below.

In a telephone conversation with the undersigned, the pertinence of the Matteson document with respect to claim 1 was discussed. The examiner indicated that he thought that claim 1 was sufficiently broad so as to read on Matteson. In particular, the examiner essentially asserted that the levers 53, 63 pivot in Matteson when the bracket 33 is installed or removed. Claim 1 as filed recited that the bracket is "pivotally disposed on the chassis." It is respectfully submitted that Matteson's levers 53, 63 can hardly be fairly characterized as being pivotally disposed on the chassis. Nevertheless, since the Examiner indicated that only a slight amendment to claim 1 was needed, in his mind, to differentiate the claim 1 from the prior art, claim 1 has been amended to recite that the bracket is "rotatably mounted on the chassis." It is submitted that this language clearly differentiates the claim from Matteson. If the Examiner does not agree that this amendment places this claim into condition for allowance, then the examiner is respectfully requested to telephone the undersigned to discuss this matter further.

Amended Claim 7 recites a fan assembly for cooling a CPU chip disposed on a chassis. The fan assembly includes a bracket and a fan. The bracket has at least one pivot

portion and at least one retention portion, and rotatably pivots on the chassis by the pivot portion and disengageably engages with the chassis by the retention portion. Claim 7 also recites that the fan is rotated relatively closer the CPU chip when the bracket engages with the chassis by the retention portion and that the fan is rotated relatively farther away from the CPU chip when the retention portion of the bracket does not engage with the chassis. The art cited by the Examiner against this claim neither shows nor suggests any such structure.

Amended Claim 16 recites a bracket pivotally fixed within a chassis for securing a cooling fan. The bracket includes a pivot post and a retention portion. The pivot post is positioned on a side wall of the bracket, and is rotatably installed within a pivot recesses of the chassis. The retention portion disengageably engages the bracket with the chassis. The bracket is placed adjacent a CPU chip when the bracket engages with the chassis by the retention portion. On the other hand, when the fan is moved away from the CPU chip the bracket disengages with the chassis by the retention portion.

Matteson et al. disclose a system for enhanced cooling and latching of pluggable electronic component. A bracket 33 is detachably coupled to a cartridge 31 by extensions 63 and knobs 71. A fan 131 snaps into a cross-sections 121 of the bracket 33. However, the bracket 33 does rotatably pivot on a printed circuit board 17 or on anything else for that matter.

Claims 12 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Qiu (US 6,478,284 B2). However, it is submitted that it is not appropriate to reject Claim 12 (a dependant claim) under 35 U.S.C. 102(e). Specifically, Claim 12 depends from Claim 7, but the examiner does not reject claim 7 based on Qiu. Thus, the Examiner apparently feels that claim 7 is patentable over Qiu. Since claim 12 includes all the limitation of claim 7, the applicant feels that the rejection of claim 12 is improper and such be withdrawn.

Claims 7, 9, 12, 13 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Clements et al.. (US 5,707,282). Applicant respectfully traverses the rejections made by the Examiner for the reasons discussed below.

Clements et al. discloses a fan diffuser. The diffuser 80 includes a latch mechanism 140, an upper hinge pin 158, and a lower hinge pin 162. However, Clements et al. do not teach that the fan is in an area of either a CPU heat sink or a CPU chip. Indeed, if the computer box shown in 1 has a CPU inside, it is believed that Clements' fan would be disposed adjacent the rear wall section 22 when the fan is latched in place by mechanism 140. When unlatched, the fan would move away from that wall and thus closer to any CPU in the computer box. Clearly there is no teaching or suggestion that Clements' fan be moved "relatively farther away from the CPU chip" when unlatched as claimed by claim 7.

A new independent claim 21 is enclosed. This claim recites "rotating the fan on said axis away from the stowed position

thereof to a second position relatively farther away from the CPU chip to thereby provide additional access to the CPU chip without the necessity of decoupling the fan from the source of electrical power." This feature is believed to clearly differentiate this claim from the art discussed above.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C., 20231 on

April 2, 2003

(Date of Deposit)

Corinda Humphrey

(Name of Person Signing)

(Signature)

April 2, 2003

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Respectfully submitted,



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Appendix A

1. (Amended) A device for cooling a CPU chip disposed on a chassis comprising:

a heat sink disposed on the CPU chip;

a bracket, having at least one pivot portion and at least one retention portion, rotatably mounted [pivotally disposed] on the chassis by the pivot portion; and

a fan disposed on the bracket, wherein the fan is [adjacent] relatively closer to the heat sink when the bracket engages with the chassis by the retention portion, and wherein the fan is relatively farther away from the heat sink when the retention portion of the bracket does not engage [with] the chassis.

7. (Amended) A fan assembly for cooling a CPU chip disposed on a chassis comprising:

a bracket, having at least one pivot portion and at least one retention portion, [pivotally] rotatably disposed on the chassis by the pivot portion; and

a fan disposed on the bracket, wherein the fan is rotated [adjacent to] relatively closer the CPU chip when the bracket engages with the chassis by the retention portion, and the fan is rotated relatively farther away from the CPU chip when the retention portion of the bracket does not engage with the chassis.

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13. (Amended) A fan assembly comprising:

a bracket having at least one first engaging portion and at least one retaining hook; and

a fan, having a second engaging portion corresponding to the first engaging portion, disposed on the bracket by the retaining hook and the engagement of the first engaging portion and the second engaging portion;

wherein the first engaging portion comprises:

at least one raised pad integrally formed on the bracket; and

at least one locator post integrally formed on the raised pad.

15. (Amended) The fan assembly as claimed in claim [14] 13, wherein the second engaging portion comprises at least one locator recess corresponding to the locator post.

16. (Amended) A bracket pivotally fixed within a chassis for securing a cooling fan, comprising:

a pivot post positioned on a side wall of the

bracket and being rotatably installed within a pivot recesses of the chassis;

a retention portion, for disengageably engaging the bracket with the chassis;

[at least one locator disposed on the predetermined position to fit a locator recess of the fan; and

a through hole, formed at the center portion of the bracket]

wherein the bracket is placed adjacent a CPU chip when the bracket engages with the chassis by the retention portion and wherein the fan is moved away from the CPU chip when the bracket disengages with the chassis by the retention portion.

18. (Amended) The bracket as claimed in claim 16, wherein the bracket further comprises:

at least one locator disposed on a predetermined position to fit a locator recess of the fan; and

a through hole, formed at the center portion of the bracket; and

at least one raised pad integrally formed on the bracket.